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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/616,966	07/11/2003	Takashi Teramoto	056208.52569US	2866
23911	7590	10/20/2005	EXAMINER	
CROWELL & MORING LLP INTELLECTUAL PROPERTY GROUP P.O. BOX 14300 WASHINGTON, DC 20044-4300			TRAN, THUY VAN	
			ART UNIT	PAPER NUMBER
			3652	

DATE MAILED: 10/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/616,966	TERAMOTO ET AL.
	Examiner Thuy v. Tran	Art Unit 3652

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on _____.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) 15-20 is/are allowed.
- 6) Claim(s) 1-4 and 6-14 is/are rejected.
- 7) Claim(s) 5 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 11 July 2003 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 7/11/03.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Objections

2. Claims 6 and 12 are objected to because of the following informalities: in claim 6, line 2, "a plural number" should change to --the plural number--; and in claim 12, line 2, "a guide rails" should be --guide rails--. Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 2, 4-6, 9-14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Re claim 2, the recitation "wherein a perpendicular projection of the hoist of one of said elevators has a portion overlapping on a perpendicular projection of the elevator car of the other elevator" in lines 15-17 renders the claim indefinite because it is unclear the projection of the hoist of an elevator is perpendicular relative to what.

Re claim 9, the recitation "a front side surface thereof" in lines 2-3 renders the claim indefinite because it is not understood what "front side surface" is. Same problem occurs in claim 10 as well.

Re claim 11, the recitation "shifted in front and behind each other" in line 5 renders the claim indefinite because it is unclear what front and behind meant. Same problem occurs in claim 13 as well.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-4, 7, 8 (as best understood) are rejected under 35 U.S.C. 102(b) as being anticipated by Sakita 5,699,879.

Sakita '879 discloses an elevator apparatus comprising a plurality of elevators being disposed juxtaposing with each other, each of the elevator having an elevator car (C & CA, Figures 3 & 4), a hoist (M & MA), a rope (26-1, 26A-1) and a counterweight (CW, CWA), wherein each of the hoist having a sheave, a motor and a brake such that the motor or the brake of one elevator projects and is protruded above the other.

Re claim 8, the elevators are operated independently from one another.

7. Claims 1, 3 and 7-10 (as best understood) are rejected under 35 U.S.C. 102(b) as being anticipated by Barrett et al. 5,857,545.

Barrett '545 discloses an elevator apparatus comprising a plurality of elevator being disposed juxtaposing with each other (Figure 2 and 12), each of the elevator having an elevator car, a hoist being connected to the car through a rope, wherein the hoist of one of the elevator is protruded above the elevator car of the other elevator, the hoist includes a motor, a sheave and a brake and the motor or the brake of one of the elevator projects above the elevator of the other elevator.

Re claims 7-10, Figure 12 shows 2 sets of elevators disposed within one piece of elevator passage, and a controller means for enabling the elevators to operate independently, and each of the elevators has an open/close door (206-209) on a front surface side thereof for passengers to get on/off, and the elevators are arranged on a line with front surfaces sides thereof, each having a door.

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8. Claims 2, 4 and 6 (as best understood) are rejected under 35 U.S.C. 102(b) as being anticipated by Japan 2-282177 (JP '177).

JP '177 discloses an elevator apparatus comprising a plurality of elevators, each having an elevator car (4, 4a), a hoist including a sheave, a motor and a brake, a rope and a counterweight (figures 1-4), wherein a perpendicular projection of the hoist of one of the elevators has a portion overlapping (Fig. 3) on a perpendicular projection of the elevator car of the other elevator, wherein the elevators are positioned within one piece of an elevator passage, and a protection fence (33) for dividing each of the elevators is provided within this elevating passage 1.

9. Claims 11 and 13 (as best understood) are rejected under 35 U.S.C. 102(b) as being anticipated by WO 91/08161 A1.

WO '161 discloses an elevator apparatus comprising a plural number of elevators juxtaposing with each other within an elevator passage, wherein positions of an open/close door portion (door 4 of car 2) of one of the elevators and an open/close door portion of the other (door portion of car 1 not shown) of the elevators are shifted in front and behind each other.

Allowable Subject Matter

10. Claims 15-20 are allowed.

11. Claim 5 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

12. Claims 12 and 14 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

13. The following is an examiner's statement of reasons for allowance: the prior art of record fail to disclose or suggest to combine feature a hall side door guidance groove for letting the opening/closing door of one elevator to project into a side of the other elevator when the open/close door is open in an elevator system having a plurality of elevators juxtaposing with each other within an elevating passage.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Each of the cited references separately discloses a concept of an elevator system having plurality of elevator cars in a hoistway.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thuy v. Tran whose telephone number is 571-272-6932. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eileen D. Lillis can be reached on 571-272-6928. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TVT (TVT)


EILEEN D. LILLIS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600